REMARKS

Claims 49, 55, 56, and 58-61 are pending. Upon entry of this response, claims 49, 55, 56, 58-61, and 70 will be pending, claim 49 having been amended and claim 70 added in this response. The claim 49 amendment and the new claim 70 find support in the specification and original claims, for example. Accordingly, there are no issues of new matter.

Objection to the Specification

The specification stands objected to under 35 U.S.C. 132(a) as allegedly introducing new matter by the recitation of "about 30 μm thick" in claim 60. Applicant traverses the objection.

As stated in the previously filed response of May 9, 2006, the objected-to language finds support in the specification, page 9, lines 13-15, which discloses a plastics layer (layer 14) that is "about 30 μm thick". It appears that the Examiner reviewed the incorrect portion of the specification, i.e., *pages* 13-15, rather than *page* 9, *lines* 13-15. See Office Action, page 7, item 12.

Accordingly, this objection is believed to have been overcome. Withdrawal of the objection is therefore requested.

112, 1st Paragraph, Rejection

Claim 60 stands rejected under 35 U.S.C. 112, 1st paragraph, as allegedly failing to comply with the written description requirement, with respect to the recitation of "about 30 μm thick". Applicant traverses the rejection.

As stated above, the rejected language finds support in the specification, page 9, lines 13-15, which discloses a plastics layer (layer 14) that is "about 30 μm thick."

Accordingly, claim 60 complies with the written description requirement. Withdrawal of the rejection is therefore requested.

102(b) Rejections

Claims 49, 59, and 61 stand rejected under 35 U.S.C. 102(b) as being allegedly anticipated by *Louie* (US 5,591,540). Applicant traverses the rejections.

Claim 49 is directed to a laminate package for an energy storage device having two terminals, the package including, *inter alia*, "a sealant layer being disposed intermediate the inner barrier layer and at least one of the terminals for sealing the inner barrier layer to that one of the terminals." Claim 49 has been amended, for clarification, to recite "the package being defined by a single sheet of laminate material that is folded along its length." The amendment finds support in the specification, page 10, ll. 6-11, for example. The sealant layer advantageously offers a barrier to the passage of one or more contaminants into the package cavity.

The Office Action alleges that *Louie* teaches a sealant layer (element 30) provided intermediate an inner barrier layer (element 25) and a terminal (element 36) that is adjacent to the sealant layer (element 30). See Office Action, pages 3-4, item 8. Applicant disagrees for at least the following reasons.

Fig. 1 of *Louie* is reproduced below. For simplicity, some element labels are omitted. The relevant element labels referred to in the Office Action are included for the Examiner's convenience.

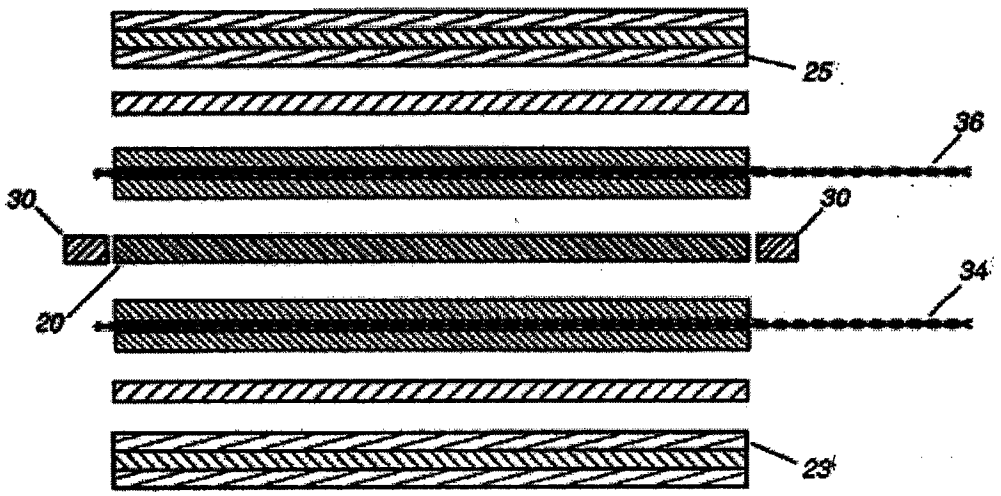

Fig. 1 of *Louie* (simplified)

It is quite clear from Fig. 1 that the *Louie* package does not anticipate Applicants' package of claim 49. As shown in Fig. 1, *Louie* element 30 (the alleged sealant layer) is not provided intermediate *Louie* element 25 (the alleged inner barrier layer) and *Louie* element 36 (the alleged terminal). Moreover, *Louie* element 30 (the alleged sealant layer) does not seal

Louie element 25 (the alleged inner barrier layer) to *Louie* element 36 (the alleged terminal). Rather, *Louie* element 30 (the alleged sealant layer) is used as a gasket between *Louie* elements 34, 36 (the alleged terminals) and, at best, seals *Louie* elements 34, 36 (the alleged terminals) to each other and to an outer polymeric packaging film (not shown), but not to *Louie* element 25 (the alleged inner barrier layer). This *Louie* configuration is clearly shown in Fig. 3, reproduced below. For simplicity, some element labels are omitted. The relevant element labels referred to in the Office Action are included for the Examiner's convenience.

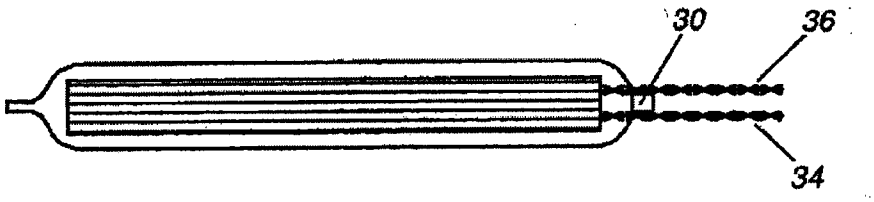

Fig. 3 of *Louie* (simplified)

Therefore, *Louie* does not teach nor suggest "a sealant layer being disposed intermediate the inner barrier layer and at least one of the terminals for sealing the inner barrier layer to that one of the terminals."

Accordingly, claim 49 and its dependant claims 59 and 61 are not believed to be anticipated by *Louie*. Withdrawal of the rejections is therefore requested.

103(a) Rejections

Claim 60 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Louie*. Applicant traverses the rejection.

As stated previously, *Louie* neither teaches nor suggests the sealant layer of claim 49. Nor does *Louie* teach or suggest modifying its strip to provide the sealant layer of claim 49 for sealing an inner barrier layer to a terminal. Rather, *Louie* relies on a heat press to seal its package and a strip to seal either the area of the terminals or the whole package. See, e.g., *Louie*, col. 4, ll. 16-36.

Therefore, claim 49 and its dependant claim 60 are believed to be patentable over *Louie*. Withdrawal of this rejection is therefore requested.

Claims 55, 56, and 58 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Louie* in view of *Sasaki* (US 6,277,516). Applicant traverses the rejections.

As stated previously, *Louie* neither teaches nor suggests the sealant layer of Applicants' claim 49. This deficiency of *Louie* is not corrected by *Sasaki* because *Sasaki* also fails to teach or suggest the sealant layer of claim 49. Rather, *Sasaki* discloses pretreating a terminal (Fig. 8, element 3) with a heat fusion bonding seal material (Fig. 8, element 1) and then heat fusion bonding the terminal to the container (Fig. 8, element 5) to seal the container. See, e.g., *Sasaki* col. 16, ll. 39-42; col. 17, ll. 55-67; Fig. 8.

Since the sealant layer of claim 49 is absent from both references, their combination would still not provide the claimed sealant layer. Moreover, there is neither teaching nor suggestion in either reference to modify its sealing material to provide the sealant layer of claim 49.

Furthermore, embodiments of the present invention may provide a sealant layer that may be part of the laminate package itself to seal the inner barrier layer to the terminals and offer a barrier to the passage of one or more contaminants into the cavity. Applicants' configuration is more cost effective and efficient that those of the cited references, whereas *Louie* provides a strip and heat pressing and *Sasaki* provides terminal pre-treatment and heat fusion bonding.

Therefore, claim 49 and its dependent claims 55, 56 and 58 are believed to be patentable over *Louie* in view of *Sasaki*. Withdrawal of the rejections is therefore requested.

New Claim 70

New claim 70 is directed to a laminate package for an energy storage device having two terminals, the package including "a sheet of laminate material *folded along the length*," which includes, *inter alia*, "a sealant layer being disposed intermediate the inner barrier layer and at least one of the terminals for sealing the inner barrier layer to that one of the terminals." (Emphasis added.)

For at least the same reasons as set forth above with respect to claim 49, new claim 70 is believed to be patentable over *Louie* and *Sasaki*, individually and in combination, because neither reference teaches Applicants' claimed sealant layer.

Additionally, neither reference teaches or suggests a package being folded along its length. *Louie* does not disclose folding its package at all. *Sasaki* discloses folding only a portion (Fig. 7, element 7) of a thin container (Fig. 7, element 5) at the sealing portion of an electrode (Fig. 7, element 3), but not folding the entire *Sasaki* container along its length. See, e.g., *Sasaki*, col. 4, ll. 53-59; Fig. 7. Moreover, there is neither teaching nor suggestion in either

reference to modify its package or container to fold along its length. Therefore, new claim 70 is believed to be patentable over the cited references.

CONCLUSION

The claims are believed to be allowable. An early and favorable result to that effect is respectfully requested.

The Office is hereby authorized to charge any fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

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